

**Montgomery County Commissioners Meeting**

**April 15, 2003 ~ 6:00 p.m.**

**Chairman – William D. Maness “Billy”**

**Vice-Chairman – Dolon W. Corbett**

**Commissioner - Sally M. Morris**

**Commissioner – R.C. Bostic**

**Commissioner – George H. Knight, Jr.**

**County Manager – Lee Matthews**

**Clerk – Laura B. Morton**

**County Attorney – Russell J. Hollers**

The Montgomery County Board of Commissioner's met in regular session on Tuesday, April 15, 2003 at 6:00 p.m. in the Montgomery County Commissioners' Room. All board members were present. Chairman Maness called the meeting to order and the following was heard:

Commissioner Bostic gave the invocation in the absence of the Rev. Thomas Andrufski, pastor of the Troy Church of God.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the minutes from the April 1<sup>st</sup> board meetings.

**Public Forum**

Commissioner Knight asked to speak during this time. Mr. Knight said he wanted to say a few words to clear a few things up. He said the Montgomery Herald had reported some actions that I had taken at a recent Montgomery County School Board meeting. They reported my conduct as unbecoming of a commissioner. He said I would like to say to the commissioners that he never planned to bring discredit to this office, but I also think that my position as a commissioner does not excuse me from being a citizen of Montgomery County and being able to speak at any forum or any place as a citizen. At that meeting I spoke as a member of the Health Board, and I made it clear that I was speaking as a member of the Health Board, but for some reason the paper seems to want to print whatever they want to print. Mr. Knight said I think it is unfair to the citizens of this county to have to read just somebody's opinions. It might be good if the newspaper and reporters would just report the facts. Mr. Knight said what makes it so bad is that they did not report after the school board meeting because there was some other things that took place at that School Board that should have been reported also. He said he feels personally that it was done the way it was done because they didn't want to report the conduct of the school board and the superintendent at that same meeting. He said I wish for the benefit of the newspapers, when you report on a meeting, don't be bias or anything, report the facts. If I say something report it, but also report what other people say and do. Don't single George Knight out. It makes me feel like things are not being done right. Commissioner Knight said I just wanted to say that because I do not want to bring any discredit to this office as a commissioner. He said I feel it was done in a manner to bring discredit on the office of the commissioners, and I have no intentions to do that.

**Recessed the Regular Session and Board of Equalization and Review Called to Order**

Chairman Maness recessed the regular session and Called to Order the Board of Equalization and Review. No one was present to ask for an appeal.

John Baucom, Montgomery County Tax Appraiser was present at the meeting to represent the Montgomery County Tax Department. Mr. Baucom said you have heard Springs Industries and their evidence. Mr. Baucom said the recommendation of the Tax Department is no change.

Chairman Maness said included in the agenda packet is a letter the Tax Department has written regarding this. Chairman Maness asked what was the pleasure of the board?

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to leave the valuation as is.

Chairman Maness recessed the Board of Equalization and Review for the purpose of accepting new appeals and Reconvened the Regular Session.

**Approval to Take Out Executions on all Delinquent 2001 Real Estate Taxes Under Foreclosure and Approval to Record Judgments on All Delinquent 2002 Real Estate Taxes**

County Manager Lee Matthews explained.

In a motion made by Commissioner Knight, seconded by Commissioner Morris, and so the motion carried unanimously to approve to Take Out Executions on all Delinquent 2001 Real Estate Taxes Under Foreclosure and to Record Judgments on All Delinquent 2002 Real Estate Taxes.

**Rural Operating Assistance Program – Certified Statement**

In a motion made by Commissioner Knight, seconded by Commissioner Morris, and so the motion carried unanimously to approve the certified statement for the Rural Operating Assistance Program.

**Budget Revisions**

***Reinstate Budget Revisions***

Chairman Maness said at the last meeting the board voted not to have any more budget revisions this year. He said I believe we need to take another look at this. Commissioner Morris said Mr. Chairman I think we need to put this back into place we have some budget revisions I know from Social Services where we will be taking money back in from State or Federal Agencies that we need to go through a budget revision to put back into our line items. Mrs. Morris said I agree with the board that there have been some budget revision that did not need to get to us. I think we need to put this back into place and let the county manager police this and not bring to us unnecessary revisions.

Chairman Maness said he understands and asked Commissioner Morris if that was in the form of a motion? Commissioner Morris said yes. Commissioner Knight seconded the motion.

Chairman Maness asked for further discussion.

Commissioner Bostic said Mr. Chairman, when this was put into place there was a reason for it. He continued to say all acts come with consequence. Mr. Bostic said if we are going to shift back and forwards, we are not going to be the better for it. He said we are into 10 months of this fiscal year and those things could and should have been looked at. Mr. Bostic said just to scurry around and spend money we don't do the county justly by doing that. That tells me somewhere along the line that the departments were not on top of their jobs. That is one of the reasons we did this. We have lost a lot of monies with budget revisions at the end of the year. Mr. Bostic said I

understand there may be no county jobs involved, but there is consequences behind everything we do. He said that is the reason I am firmly against budget revisions, this late in the fiscal year.

County Manager said he wanted to point out that 90% of the budget revisions we have done have dealt with non-county funds. One problem was that the State did not adopt their budget until well into our fiscal year. A lot of the programs we have, we didn't know how they would be affected until the State Budget was adopted. Mr. Matthews said also, we made a lot of cuts last year and he feels a lot of the revisions are a result of those cuts. We cut them to where they were having trouble operating and meeting their needs. Mr. Matthews said he feels that is a problem as well and he certainly understands the concerns the board has. He said we are running a real tight ship as far as the county's fiscal concerns. We are not spending the money "willy-nilly". Mr. Matthews said he speaks for himself and the department heads that we need to keep a tight watch on our funds.

Chairman Maness said he was one of the ones who voted to have no more budget revisions, but he feels it was a decision made in haste on my part. I needed to probably rethink that a little bit, we have State and Federal money coming in we have to do budget revisions on. We have some county department heads that need to move money around because of the tight budget year. Chairman Maness said one thing I stressed to the manager was every budget revision that comes through here we need to look at them thoroughly to make sure we are doing the right thing.

Chairman Maness asked for further discussion.

Commissioner Corbett said the short time he has been commissioner he has been amazed at the amount of budget revisions that has come through this board and 80-85% are coming from certain departments and he feels we need to address that situation also.

Chairman Maness said he understands.

Commissioner Morris said the county manager needs to police these and stop at his office and not even come to us.

Commissioner Knight said he feels after they go through our manager, we as commissioners have a say so. We can do it on an individual basis, we don't have to say no to everyone because you have two or three that are abusing the privilege. Deal with these two or three on an individual basis. Don't penalize everyone because two or three are doing something they shouldn't do. Mr. Knight said he believes that looking at them on an individual basis, I believe we can still control it.

Chairman Maness asked for further discussion. Mr. Maness called for a vote.

The motion that Commissioner Morris made was to put budget revisions back into place and let the county manager police this and not bring to us unnecessary revisions.

The motion carried 3-2. (Voting for the motion Commissioner Morris, Commissioner Knight, and Chairman Maness; Voting against the motion Commissioner Bostic and Commissioner Corbett).

### **Health Department**

Mrs. Kathleen Devore-Jones appeared before the board to present budget revisions for the Health Department. Mrs. Jones said she is one that has brought a lot of budget revisions to the board but

they have been necessitated due to changes the State has made in our budget. She said she would like not to have to bring them to the board, but legally I am required to. Mrs. Jones said other counties allow the manager to make those kinds of adjustments so the board will not have to deal with them.

### **General Administration**

Mrs. Jones explained that UNC-Greensboro gave the Health Department a check for \$250 as thanks for Nancy Ruppert precepting a student nurse practitioner. Mrs. Jones explained that there was a need to upholster some chairs in the waiting room. She explained they wanted to add this to their office supply line item to repair these chairs.

Mrs. Jones asked if the board wanted her to do all of these or separately?

Chairman Maness asked if all of these budget revisions are State and Federal Money? Mrs. Jones said this is the only one that would involve other money.

Commissioner Corbett asked when this money came in? Mrs. Jones said last month. She also said all of this has gone through the Board of Health.

Commissioner Morris said this is to purchase chairs? Mrs. Jones said no. We had a revenue of \$250 and there is a need to recover these chairs. Commissioner Morris said could this wait until budget time? Mrs. Jones said in other words take it and not spend it? Mrs. Morris said yes, not spend it. Mrs. Jones said that is your call. Chairman Maness said that money would come back to us in the end correct? County Manager said that is correct. Mrs. Jones said it comes in as revenue. Chairman Maness said it is not money that if we don't spend it we will lose it correct? Mrs. Jones said correct it is profit. Commissioner Morris said we could take it in but not spend it? Mrs. Jones said you can do that.

The board agreed to take the revisions one at the time.

Commissioner Morris made the motion to take the money in and hold it until budget time. This motion was seconded by Commissioner Corbett.

Chairman Maness asked for further discussion.

Commissioner Knight said Mr. Chair, if for instance someone came up to us right now and was going to budget to recover some chairs how would we look at that? Would we put it off for another year because things are tight now, we have a little extra money to cover the chairs with and it is not going to hurt next year's budget. He said \$250 into the pot so we can spend it next year, that's fine, but we have already reviewed budgets for next year and we have chairs that need to be repaired. When are they going to be repaired? Chairman Maness said hopefully next year. Mrs. Jones said it wasn't put in the budget because the budget is bare bones.

Commissioner Corbett said we need to look at what is a want and what is a need. There is a big difference and some times there is a fine line.

Mrs. Jones said why don't you come down and look at the chairs if you think our clients should be sitting in these chairs? Commissioner Corbett asked Mrs. Jones if this was budgeted last year? Mrs. Jones said we have never invested in our waiting area in our county. She said our Health Department does serve indigent people but they deserve to sit in a chair that is not cracked.

Chairman Maness said Kathleen this is a budgetary issue, this should be put in at budget time. I am not saying the chairs don't need to be covered I want people sitting in good chairs. As we were saying a while ago we are in tough times and we are doing what we have to do and it is a budgetary item and it should be put into the budget.

Mrs. Jones said our employee's worked extra to earn this income. It could have been made out to her, but she had it made out to the Health Department. This was her precepting students and she asked that the check be made out to the Health Department to meet some needs we have.

Chairman Maness asked why isn't this in here? Mrs. Jones said I said it was a check she received for precepting a student. They could have made it out to her.

Commissioner Knight said it is written here above the request (*In the packet*). Chairman Maness said I see it now. Chairman Maness said what you are saying is this money would have been paid to Nancy Ruppert and she said she didn't want this money she is going to give it to the county? Mrs. Jones said yes, if you know Nancy, you know that she said that. Chairman Maness said I understand.

Commissioner Morris said my motion still stands.

Chairman Maness called for a vote.

The motion to keep the money and hold it until budget carried with a 3-2 vote (Voting for the motion was Commissioner Morris, Commissioner Corbett, and Commissioner Bostic. Voting against the motion was Chairman Maness and Commissioner Knight.

A copy of this budget amendment/revision is on file in the clerk's office.

### **Bioterrorism Response**

Mrs. Jones explained the total amount of the Bioterrorism funding has not changed, just the amount, which must be spent before June, since DHHS is on a June-May payment schedule. Mrs. Jones said if we don't approve this we don't get it. Chairman Maness said this is being reimbursement by the State.

Chairman Maness asked for a motion.

Commissioner Knight made the motion to approve this revision. Chairman Maness seconded the motion. Commissioners Morris, Bostic and Corbett voted no.

Mrs. Jones said so this is money we are saying to the State give to some other county because we are not allowed to spend it here.

Commissioner Knight said we don't want it? We are saying we don't want it. Chairman Maness said this is not county funds, commissioners, this is money given to us by the State. Commissioner Knight said we jump up and make these decisions we need to think about what we are doing. Commissioner Morris asked what this money is going to be spent on? Mrs. Jones said we wrote a grant and we received it and this is to protect our county from Bioterrorism. She explained that right now we do not have the infrastructure that could support the county in the event of some kind of an emergency. Mrs. Jones said so we are spending the money to purchase clinic supplies, computers, etc. These are all things the state is trying to give us to pump up our ability to respond to the things we are suppose to do as a public service agency. So, the State

awarded the grant and you all approved it last month, the only difference is that I thought it was going to be 66% this fiscal year and 33% the first three months of next fiscal year, but when they sent her the paper work it is different. Almost all of the money is within the fiscal year. This money will not be available after June 30. Chairman Maness asked if all of this money is State money. Mrs. Jones said actually it is Federal money. Mrs. Jones said since you turned it down, that means that \$4,086 will not be able to be spent here in Montgomery County. Chairman Maness said I think that is wrong.

Commissioner Morris said I will change my vote to yes if I can, but I would like to see a list of what this money is spent for in detail. Mrs. Jones said I handed you that last month, but I will do it again. Commissioner Morris said please do. Commissioner Corbett said he agrees with Commissioner Morris we need to get a document of where the money is going.

Chairman Maness said let's start over again.

Commissioner Knight said he would like to make the motion again to take this money and spend it.

Commissioner Bostic said as a point of order you already had a motion and a second and it passed; now you have to do something with that one.

Chairman Maness said we need to vote that motion down.

In a motion made by Commissioner Knight seconded by Commissioner Morris, and so the motion carried 4-1 to vote the previous motion down. (Voting for the motion Commissioner Knight, Commissioner Morris, Commissioner Corbett, and Chairman Maness; Voting against the motion Commissioner Bostic.)

In a motion made by Commissioner Knight, seconded by Chairman Maness and so the motion carried 4-1 to approve the budget revision for the Bioterrorism Response Grant. (Voting for the motion Commissioner Knight, Commissioner Morris, Commissioner Corbett, and Chairman Maness; Voting against the motion Commissioner Bostic.)

A copy of this budget amendment/revision is on file in the clerk's office.

### **Healthy Carolinas**

Mrs. Jones explained that this is passed through funding to the Montgomery Community Resource Team from the State Healthy Carolinas Program in the amount of \$7,500. Commissioner Bostic asked when this was awarded? Mrs. Jones said last month, and I took it to the Board of Health last Tuesday at their meeting.

In a motion made by Commissioner Knight, seconded by Commissioner Morris and so the motion carried unanimously to approve this budget revision.

A copy of this budget amendment/revision is on file in the clerk's office.

### **Family Planning**

No Vote was necessary. She said they received notification that there are no funds for sterilization this year. She said she wasn't sure if the board needed to know this, the county manager thought so. County Manager said it is in the budget and if we don't receive the funds we won't spend it, but at the same time, we bring revisions for increases, but we also wanted you to

know we have to do revisions for decreases. There was a brief discussion on courts decision regarding sterilization and also counseling.

### **Adolescent Pregnancy Prevention**

Mrs. Jones said the Adolescent Pregnancy Prevention Grant is provided through the State. When we budgeted for the grant last year, we had a person as an employee that person left and since then we have contracted with a person and that leaves a lot of lapse salary money and so we wanted to move this money out of those areas and put them where we could spend the money. It is just a way of moving money around so we can receive funding. Chairman Maness said this is totally funded by the State.

Commissioner Bostic said this is one of the reasons that has totally bothered me about these budget revisions. Is this particular issue here. We are a county of 25,000-26,000 people and we had the highest teen pregnancy. We should have spent all of this money and more trying to do something about this problem and we are letting this come up and turning money back. He said that is what is clouding my thinking, that really bothers me.

Chairman Maness said I understand what you are saying. Commissioner Bostic said when we let money go unused when it should have been used. I just don't like that.

Mrs. Jones said if we can move the money it will not go unused. Mr. Bostic said we had 10 months for it to be used. Mrs. Jones said we had a change in personnel. Mr. Bostic said that should have been a priority. Mrs. Jones said if we don't move it we won't have enough money to finish out the year. Mrs. Jones said we have two very good programs going.

Commissioner Knight said maybe I need to stop and look at this thing a little closer. What are we trying to prove here? I have dealt with organizations that have to do budgets and just about any organization that I have been associated with; about this time of the year there was money. People doing budget, even the manager, can't be exact. There is going to be some money over or areas short. You don't know all of these things at the beginning of the year. He said at this point in the year, people start taking a look at what they have and need. If there is money somewhere that can be used for the things you need that wasn't budgeted for whatever reason, we can't all be exact. When we figure all of this out for the county we need to pass it on to the State and Federal Governments so they can use what we are using so they won't have to be doing these things. If we take a look around us from the Federal Government down this time of the year people start moving money because nobody knows what exactly is going to happen, if they did they would not need us.

Commissioner Bostic said they call that pork George. Commissioner Knight said you can do the budget for Social Services next year.

Chairman Maness said we have heard Mrs. Jones do I have a motion.

In a motion made by Commissioner Knight, seconded by Chairman Maness and so the motion carried 4-1 to approve the budget revision for Adolescent Pregnancy Prevention.

A copy of this budget amendment/revision is on file in the clerk's office.

### **Environmental Health**

Mrs. Jones said we have been notified that the expected allocation of \$6,000 from DENR for onsite wastewater activities has been cut by \$210. No vote is necessary because it is a decrease.

A copy of this budget amendment/revision is on file in the clerk's office.

### **County Manager's Report**

#### *Montgomery Community College Request to Use the Ag Center*

Mr. Matthews explained that Montgomery Community College has requested to use the Ag Center for Aerobic classes on Tuesdays, Thursdays, and Saturdays. Chairman Maness said he had no problem with it as long as it doesn't interfere with associations like the Ag Centers.

In a motion made by Commissioner Morris, seconded by Commissioner Corbett, and so the motion carried unanimously to approve the request by Montgomery Community College request to use the Ag Center.

There being no further business, the meeting was adjourned.

#### *Low Water Problems in the Town of Troy*

Mr. Matthews explained that recently Town of Troy had very low water and there was a combination of efforts from different local agencies to find out what the problem was. He said on any one of the problems on there own would not have been a problem, but together it caused a problem. He said with all of the rain last week it caused problems with the telemetry readings at the tanks, a line break in the Mt. Gilead area, the plant was producing less water that day, also we were replacing some chemical feed tanks at the plant earlier in the week, so again we were producing less water, also the check valve to the Troy tank was back feeding, they were losing water even though we weren't pumping to them.

John Everette with the Montgomery County Water Plant (American Anglian) and Russell Underwood (private contractor who does pump work for the County) were present to answer questions.

Commissioner Corbett was concerned about customers up 109N who have been without water several times.

Commissioner Morris said the board gets calls at home at all hours of the night and she said she is afraid that we are not watching our house.

Mr. Everette said there was a break down in communication but that has been fixed.

Mr. Matthews explained that there were several meetings and he feels that the line of communication has been re-established.

Chairman Maness asked what if there would have been a fire? Mr. Everette explained that Town of Troy has three other points. There is a problem with the valve not being opened in a while, however there would be water but it would be dingy.

#### **Water Fund Balance**

Mr. Matthews presented the following handout to the board and explained it:

WATER FUND BALANCE JUNE 30,2002	\$ 2,637,241.00
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WATER FUND YEAR TO DATE REVENUES	\$ 2,211,325.00
WATER FUND YEAR TO DATE EXPENDITURES	\$ 1,691,498.00
	\$ 519,827.00
ESTIMATED REVENUE APRIL - JUNE	\$ 835,571.00
SUBTOTAL	\$ 1,355,398.00
ESTIMATED EXPENDITURES APRIL - JUNE	\$ 1,163,386.00
TOTAL	\$ 192,012.00
ESTIMATED WATER FUND BALANCE JUNE 30	\$ 2,829,253.00
FUND BALANCE APPROPRIATED TO CAPITAL PROJECT FUND	\$ 865,500.00
AMOUNT DUE FROM W.F. TO GENERAL FUND	\$ 171,163.00
ESTIMATED AVAILABLE FUND BALANCE	\$ 1,792,590.00

Chairman Maness asked what Dixon Odom's feelings are? Mr. Matthews said we can do one of two things. We can leave it as is or we can vote to put the money back into the water fund. No action has to be taken tonight.

Commissioner Morris said we may need this for the budget.

Commissioner Bostic asked if this was after the new lines? Mr. Matthews said yes participated as of June 30. Commissioner Bostic said we voted to leave \$1 million in reserve we would be sovereign. If we took \$400,000 we would still have 1.3 million. Mr. Matthews said yes.

Commissioner Morris asked what the cost of the telemetry is going to cost? Mr. Matthews said \$200,000-\$300,000.

Chairman Maness said this is the information we requested. He thanked the county manager for the information.

Commissioner Bostic said if we would have known this then we could have made a more sound decision.

Chairman Maness said we did make a good sound decision.

Commissioner Bostic said if we leave nearly \$2 million dollars in the fund balance and we have people that desperately need water we are doing our citizens justice.

Chairman Maness said Mr. Bostic the only thing is my feeling is what I have seen over the last few days our water plant needs some repair so we can get our current customers and after we do the repairs, if we have money left then, I would have no problem with that.

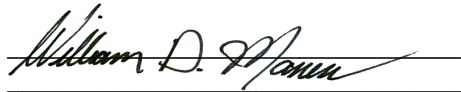
***Announcements***

Mr. Matthews announced the following meetings:

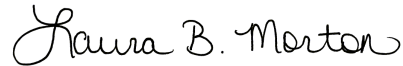
- **CEDS Meeting** – At the boardroom at the Hospital at 5:30 p.m. tomorrow night.
- **Work Session for the Budget** – April 29 at 8:30 a.m. – plans to have a balanced budget for the general fund.
- **Legislative Brunch** – at 10:00 a.m. at MCC (Representative Gibson, Representative Hayes, and Congressman Tillman scheduled to attend.)
- **Commissioners Association** – Wednesday, May 14 from 1 p.m. until 7:00 p.m. to lobby legislators.

Chairman Maness recognized the Montgomery Leadership 2003 Class members who were in attendance. They included the County Manager Lee Matthews, Gary Greene from First Health, Amanda Capel, and Margo Gaddy with Montgomery Community College.

There being no further business, the meeting was adjourned.



William D. Maness, Chairman



Laura B. Morton, Clerk to the Board